

Message Text

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E.O. 11652: N/A

TAGS: PINS, EI, UK (NI)

SUBJECT: ANGER OVER NI COURT VERDICT

1. A LEAD STORY IN DUBLIN PAPERS OVER LONG EASTER WEEKEND WAS ACQUITTAL BY NI HIGH COURT OF A BRITISH SOLDIER WHO HAD SHOT A YOUNG CATHOLIC MAN, PATRICK MCELHONE. ACCORDING TO ALL PUBLISHED ACCOUNTS OF THE KILLING, MCELHONE WAS HAVING DINNER IN HIS FARM-HOUSE WITH HIS ELDERLY FATHER AND MOTHER WHEN SOLDIERS ASKED HIM TO STEP OUTSIDE. HIS MOTHER WATCHED FROM A WINDOW AS HE WAS PUSHED DOWN THE ROAD. A SINGLE SHOT WAS HEARD AND THE YOUNG MAN WAS FOUND DEAD FROM A WOUND UNDER THE RIGHT ARM. THE SOLDIER WHO FIRED THE SHOT SAID BOTH THAT MCELHONE HAD BEEN RUNNING AWAY AND THAT THE SHOOTING HAD BEEN AN ACCIDENT. NO ALLEGATION HAS EVER BEEN MADE THAT THE VICTIM WAS INVOLVED IN A TERRORIST ORGANIZATION, AND THE JUSTICE HANDLING THE CASE STATED THAT MCELHONE HAD NOTHING TO DO WITH TERRORISM. THE JUSTICE CONCLUDED, HOWEVER, THAT THE ACCUSED SOLDIER "REASONABLY BELIEVED HE MIGHT BE DEALING WITH A TERRORIST SEEKING TO ESCAPE AND HIS REACTION WAS REASONABLE UNDER THE CIRCUMSTANCES."

2. THE DEAD MAN'S MOTHER HAS GIVEN TV INTERVIEWS WHICH HAVE HELPED TO AROUSE INTEREST IN THE CASE IN REPUBLIC. AT THE TIME OF THE SHOOT-
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ING, NEWSPAPERS DESCRIBED IT AS AN UNUSUALLY CLEAR-CUT TEST CASE.

3. COMMENT: WE HAVE NO WISH TO SECOND-GUESS A JUDGE WHO HAS SEEN ALL RELEVANT INFO, INCLUDING SOME WHICH MAY NOT BE PUBLIC. THE PUBLIC, HOWEVER, IS BOUND TO DRAW CONCLUSIONS FROM THE BEST INFO AVAILABLE, AND ON THIS BASIS THE VERDICT IS APPALLING. IT IS, UNFORTUNATELY, NOT THE FIRST CASE OF APPARENT BIAS IN NI SITUATIONS. SCHOLARS HAVE PUBLISHED STATISTICS SHOWING THAT NI CATHOLICS GET MORE AND LONGER SENTENCES THAN PROTESTANTS. THE FAMOUS WIDGERY INQUIRY INTO DERRY'S "BLOODY SUNDAY" FAILED TO PRESS SOLDIERS WHO HAD SHOT THIRTEEN UNARMED CIVILIANS. WE MENTION THIS PROBLEM AS THE OTHER SIDE OF OUR FREQUENT REPORTING ON THE REPUBLIC'S FAILURE TO EXTRADITE IRA MURDERERS TO THE NORTH. PROBABLY NI COURTS ARE NOW GENERALLY FAIR, BUT THEY HAVE NO ALWAYS BEEN, AND THERE ARE ENOUGH DUBIOUS CASES TO KEEP THE CATHOLIC COMMUNITY WARY. FEW ACHIEVEMENTS WOULD EASE NORTH-SOUTH TENSIO AS MUCH AS A MUTUALLY RESPECTED LEGAL' SYSTEM ON BOTH SIDES OF THE BORDER.
REND AHL

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